

DETAILED ACTION

1. This office action is in response to Applicant's amendment filed on 15 March 2010.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claims 16-19 directed to an invention non-elected without traverse. Accordingly, claims 16-19 have been cancelled.

Response to Arguments

3. Applicant's arguments, see pages 5-9, filed 15 March 2010, with respect to the 35 U.S.C. 102(b) rejection of independent claim 20 have been fully considered and are persuasive. The rejection of claims 20-22 and 24-32 has been withdrawn.

Allowable Subject Matter

4. Claims 20-22 and 24-32 are allowed. Claim 20 is the independent claim.
5. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Patent 1,667,299 to Wildhaber, which was applied to the claims in the office action mailed 14 September 2009. Suffice it to say, the patent to Wildhaber does not disclose "a profile-sharpened or profile-sharpened and additionally form-ground bar cutting blade for milling spiral bevel gears and hypoid

gears" or "wherein the at least two clearance surfaces can be ground to provide profile-sharpening of the cutting blade" as claimed in independent claim 20, and as such does not anticipate the instant invention as disclosed in independent claim 20.

Furthermore, there is no combinable teaching in the prior art of record that would reasonably motivate one having ordinary skill in the art to so modify the teachings of Wildhaber, and thus, for at least the foregoing reasoning, the prior art of record does not render obvious the present invention as set forth in independent claim 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC A. GATES whose telephone number is (571)272-5498. The examiner can normally be reached on Mon-Thurs 8:45 - 6:15, Alt Fri 8:45 - 5:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric A. Gates/
Primary Examiner, Art Unit 3726
12 April 2010